

**TOWN OF PAYSON  
TOWN COUNCIL MEETING  
MINUTES OF THE REGULAR MEETING  
October 4, 2007**

**CALL TO ORDER**

Mayor Edwards called the meeting to order in the Council Chambers at approximately 4:00 p.m.

**INVOCATION**

The invocation was given by Charles Proudfoot, Community Presbyterian Church

**PLEDGE OF ALLEGIANCE**

**PRESENT:** Mayor Bob Edwards, Vice-Mayor Tim Fruth, Council Member Ed Blair, Council Member Susan "Su" Connell, Council Member, Andy Romance, Council Member, Mike Vogel, and Council Member John Wilson.

**STAFF PRESENT:** Debra Galbraith, Interim Town Manager/CFO/Human Resources, Sam Streichman, Town Attorney, Silvia Smith, Town Clerk, Jerry Owen, Community Development Director, and Marty deMasi, Fire Chief.

**OTHERS PRESENT:** Curtis Ward, Assistant Town Engineer; Tim Wright, Deputy Town Attorney; Marci Huffman, Chief Deputy Town Clerk; Capt. Sam Mays, Fire Department; Tim Rice, Firefighter; Gary Lamken, Engineer.

**A. PUBLIC COMMENTS (SPEAKER'S REQUEST FORM SUBMITTED)**

1. Communications and comments or suggestions from citizens present who have submitted a Speaker's Request Form to the Mayor, Town Clerk, or designee, prior to the meeting being convened, concerning matters other than those listed on the agenda for consideration, shall be heard by the Council. All remarks shall be addressed to the Council as a whole and not to any member thereof. Members of the Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(G), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date. No public discussion of comments under this section is permitted, except that other members of the public may, at the discretion of the Mayor, present follow-up comments on a matter raised by a Speaker's Form.

There were no public comments.

- B. CONSENT AGENDA** Items listed on the agenda with an asterisk which are considered to be routine in nature and which will be enacted by one motion. No separate discussion of these items shall be held unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and will be considered in its normal sequence on the main agenda.

OCT 18 2007 E.1\*

Clmn. Wilson moved, seconded by Clmn. Vogel to approve the Consent Agenda. Motion carried, 7-0.

**C. CURRENT EVENTS PRESENTATION BY THE TOWN MANAGER, MAYOR, AND/OR COUNCIL MEMBER**

1. Brief summary oral presentation of current events by Town Manager, Mayor, and/or Council Members. The Arizona Open Meeting Law Reform Act specifies the Town Council may not take action on any matter mentioned during this presentation unless the specific matter is properly noticed for legal action.

Debi Galbraith, Interim Town Manager, reminded everyone of Payson's 125th Anniversary celebration and the mock council meeting that would be taking place this evening at approximately 6:30 p.m.

**D. CEREMONIAL; ANNOUNCEMENTS; PRESENTATIONS; INTRODUCTIONS**

1. Comments, Commendations, and Presentations by Mayor, Council Members, and/or Town Staff.

Mayor Edwards commended the Streets staff for the quick cleanup after the heavy rain storm.

Mayor Edwards apologized to Fire Chief Marty deMasi for remarks he had made that he felt had been taken wrong at the last meeting regarding the Council Decision Request Chief deMasi submitted regarding fire service to the Doll Baby area. He said that the Council Decision Request was done well and he did a good job of presenting the pros and cons and that it was a good thing that there was no recommendation.

Mayor Edwards commented on the successful kickoff party for Payson's 125th Anniversary with the Historical Society, and went over all the festivities that would be happening throughout the weekend.

Mayor Edwards commented that the Central Arizona Board of Realtors was celebrating their 60th Anniversary.

Vice Mayor Fruth requested that Council not delay the process of selecting a Town Manager.

3. Clmn. Connell read in full a proclamation declaring October 7-13, 2007, as Fire Prevention Week.

Fire Captain Sam Mays, Engineer Gary Lamken, and Firefighter Tim Rice were present to accept the proclamation.

Chief deMasi gave a short statement regarding fire safety.

2. Vice-Mayor Fruth read in full a proclamation declaring October 21st - 27th, 2007, as Character Counts Week and Payson as a Community of Character. Rim Country

Middle School was in attendance represented by Ginger Liddell, Student Government Advisor, and several student government members. Frontier Elementary School was represented by Paula Patterson, Principal, and several student government students.

Council, staff and audience were asked to repeat the Character Counts Pledge. Members of the student governments told of their plans for this special week.

#### **E. MINUTES**

1. \* Council Meeting Minutes:  
. 08-27-07 Special Meeting Pages 1-3  
\*CONSENT\* APPROVED  
BOARDS/COMMISSIONS MEETING MINUTES (Note: Minutes of various boards/commissions/committees are for Council information only and may or may not have been approved by the respective board/commission.)
2. \* Building Advisory Board Minutes:  
. 08-28-07 Regular Meeting Pages 422-423  
\*CONSENT\*
3. \* Design Review Board Minutes:  
. 08-21-07 Regular Meeting Pages 009-011  
. 08-28-07 Regular Meeting Pages 012-015  
\*CONSENT\*

#### **F. HEARINGS AND APPEALS There are no items in this section.**

There were no items in this section.

#### **G. RESOLUTIONS AND ORDINANCES**

1. \* As Council, staff, and the audience have the titles to all resolutions and ordinances, authorization to forego verbal title readings.  
\*CONSENT\* APPROVED
2. \* Discussion/possible action concerning Resolution No. 2327, captioned as follows:  
A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, TO APPROVE, PURSUANT TO A.R.S. SECTION 48-262(f), AN ANNEXATION OF ADDITIONAL TERRITORY INTO THE NORTHERN GILA COUNTY SANITARY DISTRICT OF THOSE CERTAIN PARCELS OF REAL PROPERTY AS DENOMINATED ON THE ATTACHED EXHIBITS "A", (LOTS 18 AND 19, PAYSON PARK, PAYSON, ARIZONA, MICHAEL SCHLOTMAN AND CHERYL SCHLOTMAN, OWNERS, ASSESSOR'S PARCEL NOS. 304-07-018 AND 304-07-019.)  
\*CONSENT\* APPROVED
3. \* Discussion/possible action concerning Resolution No. 2328, captioned as follows:  
A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING FEE TITLE IN AND TO CERTAIN REAL PROPERTY, ALL DESCRIBED ON EXHIBIT "1" ATTACHED HERETO

COMPRISING RIGHT-OF-WAY ACQUISITION FOR THE ST. PHILIPS ST. AND BONITA ST. ROAD CONSTRUCTION PROJECT.

\*CONSENT\* APPROVED

4. \* Discussion/possible action concerning Resolution No. 2329, captioned as follows:  
A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ACCEPTING FEE TITLE IN AND TO CERTAIN REAL PROPERTY, ALL DESCRIBED ON EXHIBIT "1" ATTACHED HERETO COMPRISING RIGHT-OF-WAY ACQUISITION FOR THE ST. PHILIPS ST. AND BONITA ST. ROAD CONSTRUCTION PROJECT.  
\*CONSENT\* APPROVED
5. \* Discussion/possible action concerning Resolution No. 2330, captioned as follows:  
A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE TOWN OF STAR VALLEY AND THE COUNTY OF GILA RELATING TO THE PURCHASE AND USE OF A POLICE VEHICLE.  
\*CONSENT\* APPROVED
6. \* Discussion/possible action concerning Resolution No. 2331, captioned as follows:  
A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA, DEPARTMENT OF TRANSPORTATION, PROVIDING FOR INSPECTION OF NBI INVENTORIED BRIDGES IN THE TOWN OF PAYSON. \*CONSENT\* APPROVED
7. Second Reading and Public Hearing concerning Ordinance No. 725, captioned as follows: AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DISSOLVING THE AIRPORT ADVISORY COMMITTEE BY REPEALING SECTIONS 33.25 THROUGH 33.29 OF CHAPTER 33 OF THE CODE OF THE TOWN OF PAYSON. Second Reading and Public Hearing.

Mayor Edwards said that now that there is a Payson Regional Airport Authority, there was no need for the Airport Advisory Committee. He opened the public hearing. There were no comments, and he closed the public hearing. Vice-Mayor Fruth moved, seconded by Clmn. Wilson, to approve Ordinance 725. Motion carried, 7-0

#### **H. UNFINISHED BUSINESS**

1. \* Council Decision Request filed by LaRon G. Garrett, Town Engineer, to approve the subdivision construction of the Cottage Creek Subdivision, including traffic control devices, subject to the developer's two-year warranty of improvements, and to accept the subdivision improvements for Town maintenance under such warranty.  
\*CONSENT\* APPROVED
2. \* Council Decision Request filed by LaRon G. Garrett, Town Engineer, to approve

the public improvement construction of the Chaparral Highlands Subdivision, including traffic control devices, subject to the developer's two-year warranty of improvements, and to accept the subdivision improvements for Town maintenance under such warranty.

**\*CONSENT\* APPROVED**

**I. NEW BUSINESS**

There were no items in this section.

**J. CLAIMS**

1. \* List of checks paid from 09-06-07 through 09-25-07, Checks Nos. 43437 through 43639, except Check Nos. 43496, 43617, and 43622, and authorization to file the checks for audit.

**\*CONSENT\* APPROVED**

2. \* Check No. 43496 paid 09-14-07, and authorization to file the check for audit. (Note: due to a perceived and/or conflict of interest, Vice-Mayor Fruth will be considered to have abstained from voting on this item.)

**\*CONSENT\* APPROVED**

3. \* Check No. 43617 paid 09-14-07, and authorization to file the check for audit. (Note: due to a perceived and/or conflict of interest, Clmn. Vogel will be considered to have abstained from voting on this item.)

**\*CONSENT\* APPROVED**

4. \* Check No. 43622 paid 09-14-07, and authorization to file the check for audit. (Note: due to a perceived and/or conflict of interest, Clmn. Wilson will be considered to have abstained from voting on this item.)

**\*CONSENT\* APPROVED**

**K. MISCELLANEOUS**

There were no items in this section.

**L. PUBLIC COMMENTS**

There were no public comments.

**ADJOURNMENT**

Mayor Edwards adjourned the meeting to October 5, 1882, at Bootleg Alley. The regular meeting adjourned at approximately 4:23 p.m.

\_\_\_\_\_ Date: \_\_\_\_\_

Bob Edwards, Mayor

ATTEST:

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Silvia Smith, Town Clerk

**Certification**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Town Council of the Town of Payson held on this day the 4 of October, 2007. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2007.

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Marcia F. Huffman, Chief Deputy Town Clerk